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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/885,320

06/19/2001

Gary L. Gaebel

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EXAMINER

JEAN PIERRE, PEGUY

ART UNIT

PAPER NUMBER

2819

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/885,320

Applicant(s)

GAEBEL ET AL.

Examiner

Peguy JeanPierre

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-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recites the limitation of "processing a symbol holding a place ..." and claim 2 recites "...reducing a first number of said symbols to a lesser number of symbols." The link between claim 1 and 2 is unclear. Claim 1 is regarded as processing a particular symbol whereas in claim 2 there is no restriction on the number of symbols (holding a place) to be processed. It is not clear how the processing of the symbol (holding a place) is done since the same process calls for reducing the number of symbols to a lesser number of symbols. Can we assume that the symbol holding a place in claim 1 has been removed or deleted based on particular criterion to reduce the number of symbols, or a particular symbol is encoded by reducing its number of bits using any

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particular coding technique. The specification does not elaborate and the drawing does not illustrate how the pattern has been identified, what are the criteria used to assign the code to the symbol and replace the pattern, what pattern need to be replaced. In claim 7, the claim recites a first and a second processes, it is not clear from the specification what constitutes the second process. If the coding of the symbol or assigning a code to a pattern if the first process the second process is not easy to identify. Please clarify.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitations of "reducing the number of symbols or assigning a code symbol to a pattern" or "replacing the symbols of a pattern with the code symbol" or "partitioning a plurality of ordered symbols sequences..." must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

5. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, 7, and 13 the limitations of "a symbol holding a place".. is indefinite. The location and the composition on that symbol is not well defined. In claim 7 the term "

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retaining a result of said processing with ...processes". Is unclear. The processes are not defined in the claim and any subsequent claims.

An art rejection of the claims as understood by the Examiner appears below.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 2-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsang in view of Hauck (USP 4,626,829).

Tsang discloses essential feature of the claimed invention except for the limitations for reducing the number of symbols; replacing the repetitive symbol with an indicator; assigning a code to the symbol.


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Hauck discloses in Figure 1 a method for processing symbol data. Hauck et al. uses a run length encoding technique to compress repetitive symbol into shorter code which indicates the length of the code, the data being repeated, the existence of a run, the number of repeating characters etc... (see col. 4, lines 10-24) in order to increase storage space and facilitate data transmission. Therefore it would have been obvious to one having ordinary skill in the art to incorporate the run length encoding technique as taught by Hauck in the system of Tsang for the benefit of improving data processing apparatuses. It would have been further obvious to use the system of Hauck and Tsang in processing image data.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. James (USP 5,703,907), Schmidt et al. (USP 5,710,561), Norton (USP 6,225,922), Todd (USP 5,550,541), Nikula (USP 6,563,884) disclose data processing apparatuses.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peguy JeanPierre whose telephone number is (571) 272-1803. The examiner fax phone number is (571) 273-1803.


Peguy JeanPierre
Primary Examiner